

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 22947 of 2012

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Ram Sevak Rai, Son of Late Mahadeo Rai, Resident of Village - Karanchi, P.O. +
P.S. Bithan in the District of Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar, through the Industrial Development Commissioner, Government of Bihar, Patna.
2. The Industrial Development Commissioner-cum-Municipal Secretary, Department of Industry Government of Bihar, Patna.
3. Bihar Industrial Area Development Authority through its Managing Director, Udyog Bhawan, East Gandhi Maidan, Patna.
4. The Managing Director, Bihar Industrial Area Development Authority, East Gandhi Maidan, Patna.
5. The Secretary, Bihar Industrial Area, East Gandhi Maidan, Patna.
6. The Area-in-Charge, Giddha Industrial Area, Bhojpur (Arrah).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 29-03-2016

Heard learned counsel for the parties.

It appears that the petitioner has been paid his admitted retiral benefits by the Bihar Industrial Area Development Authority (hereinafter referred to as the 'BIADA') except for the benefits of the 6th Pay Revision.

Learned counsel for the petitioner submits that the benefit has been made applicable to the employees of BIADA and thus he is also entitled to be paid the said benefit and it has not been paid to him as the decision to implement the same has been taken after his retirement.

Learned counsel for the BIADA submits that they have taken a decision to implement the recommendation of the 6th

Pay Revision Commission but the actual benefit has been decided to be paid from November, 2006 and since the petitioner superannuated in the year 2004, he is not eligible to such benefit. He further submits that by judgment dated 24.06.2015 in C.W.J.C. No. 28 of 2015 and analogous cases, a co-ordinate Bench of this Court has approved the said policy of BIADA.

In view of the aforesaid, the Court finds no ground to pass any positive order in favour of the petitioner with regard to his entitlement to be paid in terms of the 6th Pay Revision.

The writ petition stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

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